

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MILTON TUTWILER,

PLAINTIFF,

VS.

**CIVIL ACTION NO 2:05CV195-P-A
(Lead Case)**

**THE PROGRESSIVE CORPORATION,
PROGRESSIVE CASUALTY INSURANCE
COMPANY, JOHN DOE CORPORATIONS,
BILLY MCCOY, GARLAND MASON, AND
TAMMY KING,**

DEFENDANTS.

CONSOLIDATED WITH

MILTON TUTWILER,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:05CV196-P-A

**PROGRESSIVE GULF INSURANCE
COMPANY, PROGRESSIVE CASUALTY
INSURANCE COMPANY, PROGRESSIVE
PREFERRED INSURANCE COMPANY,
PROGRESSIVE SPECIALITY INSURANCE
COMPANY, JOE DOE CORPORATIONS,
TAMMY KING, Individually, JACK KING
AND TAMMY KING, As the Natural Parents
& Guardians of TAMARA KING, BILLY
MCCOY, AND GARLAND MASON,**

DEFENDANTS.

ORDER

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND
ADJUDGED** that:

- (1) Plaintiff's Motion to Remand [12-1] filed in Cause Number 2:05CV196 is **DENIED**;
accordingly,
- (2) Cause Number 2:05CV196 is **DISMISSED WITHOUT PREJUDICE**;

(3) Plaintiff's Motion to Remand [13-1] filed in Cause Number 2:05CV195 is

GRANTED; therefore,

(4) Cause Number 2:05CV195 is hereby **REMANDED** to the Circuit Court of Bolivar County, Mississippi, Second Judicial District; and

(5) This matter before this court is **CLOSED**.

SO ORDERED this the 28th day of June, A.D., 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE